

PATENT COOPERATION TREATY

PCT

INTERNATIONAL SEARCH REPORT

(PCT Article 18 and Rules 43 and 44)

Applicant's or agent's file reference RLL - 462WO	FOR FURTHER ACTION <small>see Form PCT/ISA/220 as well as, where applicable, item 5 below.</small>	
International application No. PCT/IB2004/003571	International filing date (day/month/year) 01/11/2004	(Earliest) Priority Date (day/month/year) 07/11/2003
Applicant RANBAXY LABORATORIES LIMITED		

This International Search Report has been prepared by this International Searching Authority and is transmitted to the applicant according to Article 18. A copy is being transmitted to the International Bureau.

This International Search Report consists of a total of 8 sheets.

☒ It is also accompanied by a copy of each prior art document cited in this report.

1. Basis of the report

- a. With regard to the **language**, the international search was carried out on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.

☐ The international search was carried out on the basis of a translation of the international application furnished to this Authority (Rule 23.1(b)).

- b. ☐ With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, see Box No. I.

2. ☐ Certain claims were found unsearchable (See Box II).

3. ☒ Unity of invention is lacking (see Box III).

4. With regard to the title,

☒ the text is approved as submitted by the applicant.

☐ the text has been established by this Authority to read as follows:

5. With regard to the abstract,

☒ the text is approved as submitted by the applicant.

☐ the text has been established, according to Rule 38.2(b), by this Authority as it appears in Box No. IV. The applicant may, within one month from the date of mailing of this international search report, submit comments to this Authority.

6. With regard to the drawings,

- a. the figure of the **drawings** to be published with the abstract is Figure No. 1

☒ as suggested by the applicant.

☐ as selected by this Authority, because the applicant failed to suggest a figure.

☐ as selected by this Authority, because this figure better characterizes the invention.

- b. ☐ none of the figures is to be published with the abstract.

INTERNATIONAL SEARCH REPORT

International Application No
PCT/IB2004/003571

A. CLASSIFICATION OF SUBJECT MATTER
IPC 7 C07D501/00 A61P31/00 A61K31/545

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)
IPC 7 C07D A61P A61K

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practical, search terms used)

EPO-Internal, PAJ, WPI Data

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	US 6 342 493 B1 (ONODERA MASAHIRO ET AL) 29 January 2002 (2002-01-29) cited in the application examples 1-14	1-5, 45, 46
X	US 6 294 669 B1 (YASUI KIYOSHI ET AL) 25 September 2001 (2001-09-25) cited in the application claims; examples 1-9	1-17, 45, 46
X	US 2002/002279 A1 (YASUI KIYOSHI ET AL) 3 January 2002 (2002-01-03) claims; examples 1-9	6-17
X	WO 98/12200 A (MEIJI SEIKA KAISHA LTD; YASUI, KIYOSHI; ONODERA, MASAHIRO; SUKEGAWA, M) 26 March 1998 (1998-03-26) claims; examples 1-9	6-17
	----- -/-	

☒ Further documents are listed in the continuation of box C.

☒ Patent family members are listed in annex.

* Special categories of cited documents :

- "A" document defining the general state of the art which is not considered to be of particular relevance
- "E" earlier document but published on or after the international filing date
- "L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)
- "O" document referring to an oral disclosure, use, exhibition or other means
- "P" document published prior to the international filing date but later than the priority date claimed

- *T* later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention
- *X* document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone
- *Y* document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.
- *G* document member of the same patent family

Date of the actual completion of the international search

4 May 2005

Date of mailing of the international search report

12.05.2005

Name and mailing address of the ISA

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Schmid, A

INTERNATIONAL SEARCH REPORT

International Application No
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C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	JP 2001 131071 A (MEIJI SEIKA KAISHA LTD) 15 May 2001 (2001-05-15) abstract -----	18-35, 44
X	EP 1 051 978 A (MEIJI SEIKA KAISHA, LTD) 15 November 2000 (2000-11-15) examples 1-14, comparative examples 1, 2 claims 8-11 -----	36-43
X	US 2002/037322 A1 (ONODERA MASAHIRO ET AL) 28 March 2002 (2002-03-28) examples 1-14, comparative examples 1, 2 claims 8-11 -----	36-44

INTERNATIONAL SEARCH REPORT

International application No.
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Box II Observations where certain claims were found unsearchable (Continuation of item 2 of first sheet)

This International Search Report has not been established in respect of certain claims under Article 17(2)(a) for the following reasons:

1. ☐ Claims Nos.:
because they relate to subject matter not required to be searched by this Authority, namely:
2. ☐ Claims Nos.:
because they relate to parts of the International Application that do not comply with the prescribed requirements to such an extent that no meaningful International Search can be carried out, specifically:
3. ☐ Claims Nos.:
because they are dependent claims and are not drafted in accordance with the second and third sentences of Rule 6.4(a).

Box III Observations where unity of invention is lacking (Continuation of item 3 of first sheet)

This International Searching Authority found multiple inventions in this international application, as follows:

see additional sheet

1. ☒ As all required additional search fees were timely paid by the applicant, this International Search Report covers all searchable claims.
2. ☐ As all searchable claims could be searched without effort justifying an additional fee, this Authority did not invite payment of any additional fee.
3. ☐ As only some of the required additional search fees were timely paid by the applicant, this International Search Report covers only those claims for which fees were paid, specifically claims Nos.:
4. ☐ No required additional search fees were timely paid by the applicant. Consequently, this International Search Report is restricted to the invention first mentioned in the claims; it is covered by claims Nos.:

Remark on Protest

- ☐ The additional search fees were accompanied by the applicant's protest.
- ☒ No protest accompanied the payment of additional search fees.

FURTHER INFORMATION CONTINUED FROM PCT/ISA/ 210

This International Searching Authority found multiple (groups of) inventions in this international application, as follows:

1. claims: 1-5,45, 46

cefditoren pivoxil (crystalline and amorphous compounds),
pharmaceutical composition, and use fro treating infections

2. claims: 6-35

processes for preparing crystalline or amorphous cefditoren
pivoxil using an organic solvent

3. claims: 36-43

process for preparing amorphous cefditoren pivoxil using an
acid

4. claim: 44

process for preparing cefditoren pivoxil starting from a
mixture of crystalline and amorphous cefditoren pivoxil

INTERNATIONAL SEARCH REPORT

Information on patent family members

International Application No

PCT/IB2004/003571

Patent document cited in search report	Publication date	Patent family member(s)	Publication date
US 6342493	B1	29-01-2002	AU 736555 B2 02-08-2001
			AU 1784599 A 26-07-1999
			BR 9907084 A 17-10-2000
			CA 2316841 A1 15-07-1999
			CN 1290177 A ,C 04-04-2001
			EA 2881 B1 31-10-2002
			EP 1051978 A1 15-11-2000
			HK 1035148 A1 19-11-2004
			HU 0101272 A2 28-12-2001
			ID 25469 A 05-10-2000
			WO 9934832 A1 15-07-1999
			JP 3413406 B2 03-06-2003
			NZ 505871 A 25-10-2002
			PL 341589 A1 23-04-2001
			SK 10262000 A3 18-01-2001
			TR 200001903 T2 21-11-2000
			TW 587946 B 21-05-2004
			US 2002037322 A1 28-03-2002
US 6294669	B1	25-09-2001	AT 238310 T 15-05-2003
			AU 714735 B2 13-01-2000
			AU 4222297 A 14-04-1998
			BR 9712072 A 24-08-1999
			CA 2265686 A1 26-03-1998
			CN 1234036 A ,C 03-11-1999
			CZ 9900975 A3 11-08-1999
			DE 69721290 D1 28-05-2003
			DE 69721290 T2 22-01-2004
			EA 1526 B1 23-04-2001
			EP 0937083 A1 25-08-1999
			ES 2198593 T3 01-02-2004
			HK 1022912 A1 12-12-2003
			HU 9903454 A2 28-03-2000
			ID 22064 A 26-08-1999
			IL 129016 A 12-01-2003
			WO 9812200 A1 26-03-1998
			JP 3403206 B2 06-05-2003
			JP 2001500521 T 16-01-2001
			KR 2000048496 A 25-07-2000
US 2002002279	A1	03-01-2002	NZ 334883 A 29-09-2000
			PL 332314 A1 30-08-1999
			PT 937083 T 29-08-2003
			SK 35499 A3 13-03-2000
			TR 9900614 T2 21-06-1999
			US 2002002279 A1 03-01-2002
			AT 238310 T 15-05-2003
			AU 714735 B2 13-01-2000
			AU 4222297 A 14-04-1998
			BR 9712072 A 24-08-1999
			CA 2265686 A1 26-03-1998
			CN 1234036 A ,C 03-11-1999
			CZ 9900975 A3 11-08-1999
			DE 69721290 D1 28-05-2003
			DE 69721290 T2 22-01-2004
			EA 1526 B1 23-04-2001
			EP 0937083 A1 25-08-1999
			ES 2198593 T3 01-02-2004

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Patent document cited in search report	Publication date	Patent family member(s)	Publication date
US 2002002279 A1		HK 1022912 A1	12-12-2003
		HU 9903454 A2	28-03-2000
		ID 22064 A	26-08-1999
		IL 129016 A	12-01-2003
		WO 9812200 A1	26-03-1998
		JP 3403206 B2	06-05-2003
		JP 2001500521 T	16-01-2001
		KR 2000048496 A	25-07-2000
		NZ 334883 A	29-09-2000
		PL 332314 A1	30-08-1999
		PT 937083 T	29-08-2003
		SK 35499 A3	13-03-2000
		TR 9900614 T2	21-06-1999
		US 6294669 B1	25-09-2001
WO 9812200 A 26-03-1998		AT 238310 T	15-05-2003
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		AU 4222297 A	14-04-1998
		BR 9712072 A	24-08-1999
		CA 2265686 A1	26-03-1998
		CN 1234036 A ,C	03-11-1999
		CZ 9900975 A3	11-08-1999
		DE 69721290 D1	28-05-2003
		DE 69721290 T2	22-01-2004
		EA 1526 B1	23-04-2001
		EP 0937083 A1	25-08-1999
		ES 2198593 T3	01-02-2004
		HK 1022912 A1	12-12-2003
		HU 9903454 A2	28-03-2000
		ID 22064 A	26-08-1999
		IL 129016 A	12-01-2003
		WO 9812200 A1	26-03-1998
		JP 3403206 B2	06-05-2003
		JP 2001500521 T	16-01-2001
		KR 2000048496 A	25-07-2000
		NZ 334883 A	29-09-2000
		PL 332314 A1	30-08-1999
		PT 937083 T	29-08-2003
		SK 35499 A3	13-03-2000
		TR 9900614 T2	21-06-1999
		US 6294669 B1	25-09-2001
		US 2002002279 A1	03-01-2002
JP 2001131071 A 15-05-2001		NONE	
EP 1051978 A 15-11-2000		AU 736555 B2	02-08-2001
		AU 1784599 A	26-07-1999
		BR 9907084 A	17-10-2000
		CA 2316841 A1	15-07-1999
		EA 2881 B1	31-10-2002
		EP 1051978 A1	15-11-2000
		HK 1035148 A1	19-11-2004
		HU 0101272 A2	28-12-2001
		JP 3413406 B2	03-06-2003
		NZ 505871 A	25-10-2002
		SK 10262000 A3	18-01-2001
		TW 587946 B	21-05-2004
		US 6342493 B1	29-01-2002

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EP 1051978	A	CN 1290177 A ,C	04-04-2001	
		ID 25469 A	05-10-2000	
		WO 9934832 A1	15-07-1999	
		PL 341589 A1	23-04-2001	
		TR 200001903 T2	21-11-2000	
		US 2002037322 A1	28-03-2002	
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US 2002037322	A1	28-03-2002	AU 736555 B2	02-08-2001
			AU 1784599 A	26-07-1999
			BR 9907084 A	17-10-2000
			CA 2316841 A1	15-07-1999
			CN 1290177 A ,C	04-04-2001
			EA 2881 B1	31-10-2002
			EP 1051978 A1	15-11-2000
			HK 1035148 A1	19-11-2004
			HU 0101272 A2	28-12-2001
			ID 25469 A	05-10-2000
			WO 9934832 A1	15-07-1999
			JP 3413406 B2	03-06-2003
			NZ 505871 A	25-10-2002
			PL 341589 A1	23-04-2001
			SK 10262000 A3	18-01-2001
			TR 200001903 T2	21-11-2000
			TW 587946 B	21-05-2004
			US 6342493 B1	29-01-2002
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